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**Via Fax (212) 805-7920 and
ECF**

Honorable Shira A. Scheindlin
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Laumann, et al. v. National Hockey League, et al.*, 12-cv-1817 (SAS)
Garber, et al. v. Office of the Commissioner of Baseball, et al., 12-cv-3704 (SAS)

Dear Judge Sheindlin:

I write regarding two matters.

First, Mr. Paris's letter of March 26 purports to clarify the issues regarding a second paper by, among others, Professors Crawford and Yurukoglu. While we disagree with Defendants' and Dr. Pakes's characterizations of the paper, it is unpublished and bears a bolded statement on the cover of its most recent iteration (February 15, 2015): "PRELIMINARY AND INCOMPLETE. PLEASE DO NOT CIRCULATE." While much in the paper supports Dr. Noll's testimony that double marginalization is presently very limited, Plaintiffs, respecting the authors' request and recognizing the tentative nature of the paper, did not use it and it should not have been used by Dr. Pakes. Mr. Diver raised the issue, objecting to its use because it was preliminary and incomplete (at p. 551).

Second, I write to inform the Court of a development in a case discussed at the hearing. On March 26, the court certified a nationwide class of corrugated box purchasers in one of the cases upon which I questioned Dr. Ordoover in which he also offered his opinion that impact could not be proven on a class-wide basis (at pp. 247-48). See, *Kleen Products, LLC. et al v. International Paper, Inc. et al*, No. 1:10-cv-05711 (N.D. Ill.). The Court has filed its opinion under seal, but I enclose the minute Order certifying the class.

Respectfully,



Howard Langer

cc: All counsel via ECF (w/enclosure)